IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

WA.No. 1063 of 2007(B)

AGAINST THE ORDER IN WPC.6320/2007 Dated 02/04/2007

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APPELLANT/ RESPONDENT:

KOTTAYAM DISTRICT PANCHAYATH,
REPRESENTED BY ITS SECRETARY, KOTTAYAM.

BY ADV. SRI.K.BALACHANDRAN (MANGALATH)
SRI.RAJESH NAIR

RESPONDENT/ PETITIONER:

M/S.VISWASAMBATH HUMAN RESOURCES
DEVELOPMENT PRIVATE LIMITED, VANCHIYOOR P.O.,
THIRUVANANTHAPURAM, REPRESENTED BY THE
MANAGING DIRECTOR, SHRI N.V.SADANANDAN.

BY ADV. SHRI N.J. JOHNSON.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 02/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

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W.A. No. 1063 OF 2007

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Dated this the 2nd July, 2007

J U D G M E N T

H.L. Dattu, C.J.:

The interim order granted by this court in W.P.(C) No.6320 of 2007 dated 2nd April, 2007 is the subject matter of this appeal.

2. Learned counsel appearing for the contesting respondent would submit that even before the filing of this appeal, the Registrar General of this court has complied with the orders and directions issued by this court in W.P.(C) 6320 of 2007.

3. The first and foremost, the interim order passed by this court, normally will not be interfered by us, unless the said order is so arbitrary, perverse etc. Having gone through the orders passed by the learned single Judge, we are of the opinion that the learned single Judge has only directed the Registrar General of this Court to prematurely close the Fixed Deposit account No.30146881002 with the SBI and to pay a sum of Rs. 8,75,000/- to the petitioner in the Writ Petition, as directed by the Ombudsman, in Ext. P5 order in the Writ Petition. The interim order, so passed by the learned single Judge, in our opinion, is neither arbitrary nor

perverse. Therefore, no interference is called for. The Registrar General of this Court has already complied with the orders and directions issued by this court. Therefore, as on today, nothing survives for consideration of this court in this Writ Appeal.

4. The orders passed by us as well as by the learned single Judge will not come in the way of the petitioner/appellant, while agitating its defence before the learned single Judge in the Writ Petition.

Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

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